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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,009	11/24/2003	Mahesh Rajagopalan	03-1014	5652
25537 VERIZON PATENT MANAGEMENT GROUP 1320 North Court House Road 9th Floor ARLINGTON, VA 22201-2909	7590 03/03/2010			
EXAMINER				
GAY, SONIA L				
ART UNIT		PAPER NUMBER		
2614				
NOTIFICATION DATE		DELIVERY MODE		
03/03/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/721,009

Applicant(s)

RAJAGOPALAN ET AL.

Examiner

SONIA GAY

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) 64 - 66 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30, 60, 63, 68, 69 is/are allowed.
- 6) ☒ Claim(s) 1-29, 31-59, 61, 62, 67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notice of Informal Patent Application~~
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to Amendment filed 01/26/2010. Claims 30, 60, 63, 68, and 69 stand allowed. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/26/2010 has been entered.

Response to Amendment

2. Applicant's amendment filed January 26, 2010 has been entered. Claims 1, 17, 31, 47, 61, 62, and 67 have been amended. Claims 64 - 66 have been canceled. Claims 1- 63 and 67 - 69 are still pending in this application.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 31, 61 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1, 31, and 61 recite "determining a most recently used device by a first conference user to share first data interactively during a previous computer-enhanced conference call". It is unclear how the specification supports the limitation "a device used to share first data interactively during a **previous** computer-enhanced conference call. The specification discloses

[0115] Once the various call preferences have been retrieved, application server 516 may determine one or more preferred devices for the conference user. A preferred device may be, for example, a device that the conference user previously designated for use in computer-enhanced conference calls. The preferred device may be ultimately determined by a number of factors. For example, application server 516 may be set to recognize a device indicated in the retrieved call preferences as the preferred device. The device indicated in the call preferences may be different depending on the disposition of the call. For example, a conference user may select different devices for answering calls, voice mail, screening calls, participating in computer-enhanced conference calls, etc.

[0117] In another embodiment, application server 516 may instead recognize the last device used by a conference user as the preferred device. The last device used may also be selected, for example, when a conference user neglects to explicitly specify a device as the preferred device. The conference user also may explicitly select an option that specifies the last device used as the preferred device.

The specification does not appear to support limiting the most recently used device to a device used during a previous computer-enhanced conference call. Rather, the specification suggests the last device used by the conference user to perform any telecommunications activity.

Claim Rejections - 35 USC § 103

4. Claims 1- 16, 31- 46 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doganata et al. (US 6,798,753) in view of Rodman et al. (US 2002/0103864), and further in view of Adamson et al. (US 5,717,863)

For claims 1, 14, 31, 44, and 61, Doganata discloses a method, apparatus, and computer-readable medium for establishing a computer-enhanced conference call between a plurality of users (See Abstract), comprising: detecting a computer-enhanced conference call event that was previously configured by an initiating user to occur at a designated time in the future (See col. 2 lines 51-58, col. 4 lines 59-61, and col. 6 lines 31-39); contacting conference users (for example, if the conference is dial-out, the participants are contacted directly by phone and if the conference is dial-in, the participants are contacted via e-mail) associated with the computer-enhanced conference call event; receiving at least one response from the conference users to accept the computer-enhanced conference call (for example, if the conference is dial-out, the participants respond by answering the phone and if the conference is dial-in, the participants respond with an e-mail either accepting or rejecting the conference); and establishing a conference call between the initiating user and the conference users based on the at least one received response (See col. 5 lines 16-29 and col. 6 lines 31-54). Yet, Dognata et al. fails to teach sharing data interactively among the conference participants in the computer-enhance conference call; determining a most recently used device by a first conference user to share data interactively, the most recently used device being one of a plurality of devices used by the conference user; contacting the first conference user at the most recently used device; and, establishing a collaboration between the initiating user and conference users that are authorized to participate in the collaboration and receiving a communication from one of the conference users to record a message for play back to the initiating user.

However, Rodman et al. discloses a method for the purpose of coordinating a data conference between conference endpoints which can be connected to both the PSTN and a LAN

to establish both a audio conference call and an interactive data collaboration, wherein a subset or the users that are authorized to participate in the data collaboration share data interactively (Abstract; [0011] [0012] [0023] [0026 – 0030] [0032] [0033] [0038 - 0043] [0045 -0050]).

Additionally, Adamson et al. discloses a method for the purpose of initiating a conference between users by contacting the most recently used device of a plurality of devices used by the first conference user to share data interactively (column 1 lines 12, 13 - 39 – column 2 line 12, 49 – 58; column 3 lines 26 – column 4 line 10; column 8 lines 46 – 67; column 9 lines 38 - 45).

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the teachings of Dognata et al. with the teachings of Rodman et al. and Adamson et al. for the purpose of establishing a data conference amongst a subset of the conference users which comprise functionality to communicate across both the PSTN and the Internet (Dognata et al., column 3 lines 42 – 65; column 4 lines 36 – 44; column 5 lines 16 – 33, 67 – column 6 line 2) in either separate or single devices and are authorized to participate in the collaboration to share data interactively, wherein a first conference user is contacted at a device most recently used by the first conference user to share data interactively, the most recently used device being one of a plurality of devices used by the first conference user.

In regards to claims 2 and 32, Doganata discloses the method and apparatus, wherein detecting a computer-enhanced conference call event comprises: scanning a data structure for the computer-enhanced conference call event (See col. 4 lines 16-35).

In regards to claims 3 and 33, Doganata discloses the method and apparatus, wherein the data structure comprises a calendar application (See Fig. 2 and calendar view user interface 22) associated with the initiating user (See col. 4 lines 16-35).

In regards to claims 4 and 34, Doganata discloses the method and apparatus, wherein the computer-enhanced conference call event comprises a trigger indicating a proposed computer-enhanced conference call previously scheduled by the initiating user (See col. 2 lines 51-58, col. 4 lines 59-61, and col. 6 lines 31-39).

In regards to claims 5 and 35, Doganata discloses the method and apparatus, wherein the proposed computer-enhanced conference call identifies the conference users and identifying conference users comprises: collecting identifiers for the conference users from a first data structure (See Fig. 2 and calendar view user interface 22) corresponding to the computer-enhanced conference call event; and collecting contact information for the conference users from a second data structure (See Fig. 2 and personal address book 33) based on the conference user identifiers (See col. 3-4 lines 66-5 and col. 4 lines 16-35).

In regards to claims 6 and 36, Doganata discloses the method and apparatus, wherein the first data structure comprises a calendar application (e.g., calendar view user interface 22) and the second data structure comprises an address book listing (e.g., personal address book 33) at least the conference users and their corresponding contact information (See col. 3-4 lines 66-5 and col. 4 lines 16-35).

In regards to claims 7 and 37, Doganata discloses the method and apparatus, wherein contacting the conference users comprises: collecting contact information associated with the

conference users; and establishing a communication connection with the conference users using the contact information (See col. 6 lines 3-9).

In regards to claims 8 and 38, Doganata discloses the method and apparatus, wherein the contact information comprises telephone numbers associated with the conference users and establishing a communication connection comprises: dialing out to conference users using telephone numbers corresponding to the conference users (See col. 6 lines 3-9).

In regards to claims 9 and 39, Doganata discloses the method and apparatus, wherein contacting the conference users comprises: sending notifications (e.g., via e-mail) of a computer-enhanced conference call request to the conference users (See col. 5-6 lines 66-2).

In regards to claims 10 and 40, Doganata discloses the method and apparatus, wherein establishing a conference call comprises: connecting calls to devices of conference users based on responses to the notifications (See col. 5 lines 16-29 and col. 6 lines 31-54).

In regards to claims 11 and 41, Doganata discloses the method and apparatus, wherein connecting comprises: bridging calls to devices of the initiating user and conference users that accepted the computer-enhanced conference call request so that the initiating user and the conference users that accepted the computer-enhanced conference call request may conduct a conference call; and providing the initiating user with notification of any conference user that declined the computer-enhanced conference call request (See col. 5 lines 16-35).

In regards to claims 12 and 42, Doganata discloses the method and apparatus, comprising processing a conference user declining the computer-enhanced conference call request by at least one of: receiving a communication from a conference user to record a message for subsequent play back to the initiating user; receiving a communication declining the request without any

further processing by a conference user; receiving a communication from a conference user to set an alternate contact telephone number; and receiving a communication from a conference user to set a period of time in which the conference user is to be contacted again (See col. 5 lines 33-35).

In regards to claims 13 and 43, Doganata discloses the method and apparatus, wherein at least one of the calls is forwarded to a preferred device of one of the conference users (See col. 6 lines 3-16).

In regards to claims 15 and 45, Doganata discloses the method, wherein the sending comprises: retrieving data corresponding to the conference users; selecting devices associated with the conference users to receive the notification based on the retrieved data; and providing the notification to the selected devices for display on the selected devices (See col. 5 lines 16-29 and col. 5-6 lines 66-2).

In regards to claims 16 and 46, Doganata discloses all of claims 16 and 46 limitations, except the method and apparatus, comprising receiving a designation, from at least one of the conference users, of a preferred device to participate in the collaboration. Musa et al., however, does disclose receiving a designation, from at least one of the conference users, of a preferred device to participate in the collaboration (See pg. 3, paragraph [0026]).

5. Claims 17 -29, 47 -59, 62, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doganata et al. (US 6,798,753), Rodman et al. (US 2002/0103864), and further in view of Wu (US 6,275,575).

For claims 17, 27, 47, 57, 62, and 67, Doganata et al. discloses a method, apparatus, and computer-readable medium for establishing a computer-enhanced conference call between a

plurality of users (See Abstract), comprising: detecting a computer-enhanced conference call event that was previously configured by an initiating user to occur at a designated time in the future (See col. 2 lines 51-58, col. 4 lines 59-61, and col. 6 lines 31-39); contacting conference users (for example, if the conference is dial-out, the participants are contacted directly by phone and if the conference is dial-in, the participants are contacted via e-mail) associated with the computer-enhanced conference call event; receiving at least one response from the conference users (for example, if the conference is dial-out, the participants respond by answering the phone and if the conference is dial-in, the participants respond with an e-mail either accepting or rejecting the conference); and bridging calls to devices of the initiating user and the conference users based on the at least one received response, wherein at least one of the calls is forwarded to a preferred device of one of the conference users (See col. 5 lines 16-29 and col. 6 lines 31-54). Yet, Doganata fails to teach storing data identifying a first device and a second device associated with a first conference user, the data reflecting that the first device is preferred by the first conference user to share data interactively in the computer-enhanced conference call during a first time period and the second device is preferred to share data interactively in the computer-enhanced conference call during a second time period; determining that a time period for the computer-enhanced conference call falls within the first time period; and, establishing a collaboration to share the data interactively among the initiating user and a subset of the conference users that are authorized to participate in the collaboration, the data being shared interactively by the first user during the conference call.

However, Rodman et al. discloses a method for the purpose of coordinating a data conference between conference endpoints which can be connected to both the PSTN and a LAN

to establish both a audio conference call and an interactive data collaboration, wherein a subset or the users that are authorized to participate in the data collaboration share data interactively (Abstract; [0011] [0012] [0023] [0026 – 0030] [0032] [0033] [0038 - 0043] [0045 -0050]).

Moreover, Wu discloses a method and system for the purpose of initiating conferences to preferred devices of conference users wherein stored contact information for conference users comprises a daily schedule with preferred devices and associated time periods of use (Fig.6; Abstract; column 2 lines 53 – column 3 line 12; column 6 lines 16 – 65; column 8 lines 38 – column 9 line 25, 50 – column 10 line 5.

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the teachings of Dognata et al. with the teachings of Rodman et al. and Wu for the purpose of establishing a data conference amongst a subset of the conference users which comprise functionality to communicate across both the PSTN and the Internet (Dognata et al., column 3 lines 42 – 65; column 4 lines 36 – 44; column 5 lines 16 – 33, 67 – column 6 line 2) in either separate or single devices and are authorized to participate in the collaboration to share data interactively during the conference call, wherein a conference user is contacted at an audio and data communicating, preferred device associated with a time period of the conference according to stored contact information comprising a daily schedule of audio and data communicating, preferred devices and associated time periods.

Claims 18 – 26 and 28 - 29 are rejected for the same reasons disclosed above in the rejection of claims 2 –9, 12, and 15 - 16.

Claims 48 – 56 and 58 – 59 are rejected for the same reasons disclosed above in the rejection of claims 2 – 9, 12, and 15 - 16.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 17, 31, 47, 61, 62, and 67 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SONIA GAY whose telephone number is (571)270-1951. The examiner can normally be reached on Monday to Thursday from 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Sonia Gay/
Examiner, Art Unit 2614
February 25, 2010

/Rasha S AL-Aubaidi/
Primary Examiner, Art Unit 2614